

APPENDIX A

JOINT PROPOSED SUPPLEMENTAL DECREE

SUPREME COURT OF THE UNITED STATES

No. 9, Original

UNITED STATES, PLAINTIFF

v.

STATE OF LOUISIANA, ET AL.

(ALABAMA AND MISSISSIPPI BOUNDARY CASE)

SUPPLEMENTAL DECREE

By its decision of February 26, 1985, the Court overruled the exception of the United States to the Report of its Special Master herein insofar as it challenged the Master's determination that the whole Mississippi Sound constitutes historic inland waters, and, to this extent, adopted the Master's recommendations and confirmed his Report.

On March 1, 1988, the Court resolved the disagreement between the United States and Mississippi as to that portion of the Mississippi coastline at issue in the above-captioned litigation and directed the parties to submit to the Special Master a proposed appropriate decree defining the claims of Alabama and Mississippi with respect to Mississippi Sound. The parties have agreed on and submitted to the Special Master a proposed decree in accordance with the Court's decision of March 1, 1988.

Accordingly,

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. For the purposes of the Court's Decree herein dated December 12, 1960, 364 U.S. 502 (defining the boundary line between the submerged lands of the United States and the submerged lands of the States bordering the Gulf of Mexico), the coastline of the States of Alabama and Mississippi shall be determined on the basis that the whole of Mississippi Sound constitutes state inland waters;

2. For the purposes of said Decree of December 12, 1960, the coastline of Alabama includes a straight line from a point on the western tip of Dauphin Island where $X = 238690$ and $Y = 84050$ in the Alabama plane coordinate system, west zone, and $X = 659783.79$ and $Y = 204674.56$ in the Mississippi plane coordinate system, east zone, to a point on the eastern tip of Petit Bois Island where $X = 215985$ and $Y = 77920$ in the Alabama plane coordinate system, west zone, and $X = 637152.89$ and $Y = 198279.25$ in the Mississippi plane coordinate system, east zone, so far as said line lies on the Alabama side of the Alabama-Mississippi boundary.

3. For the purposes of said Decree of December 12, 1960, the coastline of Mississippi includes the following:

- (a) That portion of the straight line described in paragraph 2, above, lying on the Mississippi side of Alabama-Mississippi boundary;
- (b) The baseline delimiting Petit Bois Island determined by the following points in the Mississippi plane coordinate system, east zone:

	E. COORD.	N. COORD.
	X	Y
A POINT AT	636103.06	197409.43
A POINT AT	635730.88	197167.57
A POINT AT	635197.10	196848.81

	E. COORD.	N. COORD.
	X	Y
A POINT AT	634824.92	196606.95
A POINT AT	634494.81	196403.07
A LINE FROM	634116.89	196223.65
THROUGH	633487.70	195977.80
THROUGH	632600.10	195607.60
THROUGH	631541.99	195143.47
THROUGH	630508.20	194904.30
THROUGH	629479.90	194591.90
THROUGH	628525.00	194321.70
THROUGH	628401.73	194306.69
THROUGH	628036.92	194289.93
THROUGH	627476.60	194182.00
THROUGH	626488.60	193948.10
THROUGH	625932.59	193802.79
THROUGH	625516.00	193766.90
THROUGH	623861.36	193478.53
THROUGH	622820.50	193454.10
THROUGH	621823.80	193356.00
THROUGH	620825.20	193257.90
THROUGH	619847.89	193131.55
THROUGH	618538.77	193268.72
THROUGH	617735.69	193531.82
THROUGH	616497.05	194054.83
THROUGH	615577.50	194348.40
THROUGH	614799.01	194527.45
THROUGH	613600.50	194763.40
THROUGH	612681.90	194895.50
THROUGH	611818.33	195012.55
THROUGH	611021.34	195183.22
THROUGH	610184.77	195530.92
THROUGH	609391.80	195685.30
THROUGH	608419.90	195927.80

	E. COORD.	N. COORD.
	X	Y
THROUGH	607720.29	196127.06
THROUGH	607475.00	196239.30
THROUGH	606247.30	196809.81
THROUGH	605675.10	197160.10
THROUGH	604270.15	197849.15
THROUGH	603527.87	198470.45
TO	603006.58	199221.84;

(c) A straight line from a point on the western tip of Petit Bois Island from $X = 602984.74$ and $Y = 199379.08$ in the Mississippi plane coordinate system, east zone, to a point on the eastern tip of Horn Island where $X = 586698.88$ and $Y = 203743.22$ in the same coordinate system;

(d) The baseline delimiting Horn Island determined by the following points in the Mississippi plane coordinate system, east zone:

	E. COORD.	N. COORD.
	X	Y
A POINT AT	586085.00	203413.20
A POINT AT	585408.00	202870.40
A LINE FROM	584539.17	202442.95
THROUGH	583521.30	202226.50
THROUGH	582523.70	201911.10
THROUGH	581217.11	201559.05
THROUGH	580172.00	201476.80
THROUGH	578707.40	201327.16
THROUGH	577716.60	201360.70
THROUGH	576762.47	201326.88

	E. COORD.	N. COORD.
	X	Y
THROUGH	575057.04	201581.88
THROUGH	573405.12	201965.02
THROUGH	571199.22	202261.66
THROUGH	570919.81	202425.88
THROUGH	568628.38	202769.01
THROUGH	566917.90	203142.60
THROUGH	564973.10	203501.30
THROUGH	563121.32	203819.44
THROUGH	560958.00	204028.60
THROUGH	558940.70	204238.50
THROUGH	557048.68	204283.26
THROUGH	554930.20	204403.10
TO	553435.61	204348.41
A LINE FROM	551970.97	204538.74
THROUGH	551379.95	204841.79
THROUGH	550663.93	205145.88
THROUGH	549562.53	205270.46
THROUGH	547945.52	205663.99
THROUGH	546875.90	206276.41
THROUGH	545696.10	206670.80
THROUGH	544396.00	207134.79
THROUGH	542861.16	207556.77
THROUGH	540851.48	208393.15
THROUGH	539596.30	208756.30
TO	538818.50	209086.77
A LINE FROM	536831.40	209354.10
THROUGH	535469.11	209055.01
THROUGH	533599.69	208590.63
THROUGH	532440.54	208312.06
THROUGH	530361.80	207949.10
THROUGH	528785.77	207676.76
THROUGH	527430.00	207570.30
THROUGH	526475.92	207467.20

	E. COORD.	N. COORD.
	X	Y
THROUGH	525672.63	207540.27
THROUGH	522928.20	208196.10
THROUGH	521336.78	208496.86
THROUGH	520062.60	208576.80
THROUGH	519137.96	208626.07
TO	518074.58	209136.06;

(e) A straight line from a point on the western tip of Horn Island where $X = 517785.04$ and $Y = 209525.13$ in the same coordinate system to a point on the eastern tip of the most easterly segment of Ship Island where $X = 486293.70$ and $Y = 208216.03$ in the same coordinate system;

(f) The baseline delimiting the most easterly segment of Ship Island determined by the following points in the Mississippi plane coordinate system, east zone:

	E. COORD.	N. COORD.
	X	Y
A LINE FROM	485802.92	207647.85
THROUGH	484179.80	206426.60
THROUGH	482568.66	205272.72
THROUGH	480844.60	204246.60
THROUGH	479440.58	203436.29
THROUGH	478229.70	202788.30
THROUGH	476458.71	201921.54
THROUGH	475542.00	201634.30
TO	475218.46	201529.55;

(g) A straight line from a point on the western tip of the easterly segment of Ship Island where $X = 474673.81$ and $Y = 201505.68$ in the same coordinate system to

a point on the eastern end of the westerly segment of Ship Island where $X = 469644.55$ and $Y = 200646.86$ in the same coordinate system;

- (h) The baseline delimiting the most westerly segment of Ship Island determined by the following points in the Mississippi plane coordinate system, east zone:

	E. COORD.	N. COORD.
	X	Y
A LINE FROM	468942.08	200226.18
THROUGH	468023.27	199707.98
THROUGH	466932.10	198967.80
THROUGH	465591.05	198219.69
THROUGH	464163.11	197420.58
TO	463004.481	196885.896;

4. That portion of the Mississippi baseline west of the westerly segment of Ship Island determined above is the subject of a separate decree resolving *Mississippi v. United States*, Original No. 113.

5. The baseline described in Paragraphs 2 and 3 above shall be, pursuant to stipulation of the parties, fixed as of the date of this decree, and shall from that date no longer be ambulatory.

6. The parties shall bear their own costs of these proceedings; the actual expenses of the Special Master herein and the compensation due him shall be borne half by the United States and half by Mississippi.

7. After his final accounting has been approved and any balance due him has been paid, the Special Master shall be deemed discharged with the thanks of the Court.

8. The Court retains jurisdiction to entertain such further proceedings, enter such orders, and issue such writs as

from time to time may be deemed necessary or advisable to effectuate and supplement the decree and the rights of the respective parties.

/s/ Kenneth W. Starr
KENNETH W. STARR
Solicitor General
Department of Justice
Washington, D.C. 20530

Date: July 23, 1990

/s/ Mike Moore
MIKE MOORE
Attorney General
State of Mississippi
Carroll Gartin Justice Building
Jackson, Mississippi 39205-0220

Date: August 7, 1990

/s/ Don Siegelman
DON SIEGELMAN
Attorney General
State of Alabama
State House
Montgomery, Alabama 36130

Date: 8-14-90

Filed 8/17/90

/s/ Walter P. Armstrong, Jr.
Special Master

APPENDIX B
SUPREME COURT OF THE UNITED STATES

No. 9, Original

UNITED STATES, PLAINTIFF

v.

STATE OF LOUISIANA, ET AL.
(ALABAMA AND MISSISSIPPI BOUNDARY CASE)

STIPULATION

For the purpose of expediting the resolution of the above captioned action and in order to facilitate administration of the Submerged Lands Act, 43 U.S.C. 1301 *et seq.*, the parties hereto agree by this stipulation that the baseline described in the joint proposed supplemental decree submitted to the Special Master in the above captioned action shall be fixed as of the date of the entry of that decree by the Court, and from that date shall no longer be ambulatory.

/s/ Kenneth W. Starr
KENNETH W. STARR
Solicitor General
Department of Justice
Washington, D.C. 20530

Date: July 23, 1990

/s/ Mike Moore
MIKE MOORE
Attorney General
State of Mississippi
Carroll Gartin Justice Building
Jackson, Mississippi 39205-0220

Date: August 7, 1990

/s/ Don Siegelman
DON SIEGELMAN
Attorney General
State of Alabama
State House
Montgomery, Alabama 36130

Date: 8-14-90

Filed 8/17/90

/s/ Walter P. Armstrong, Jr.
Special Master

Date: August 7, 1990

STATE OF LOUISIANA, ET ALIA
ALABAMA AND MISSISSIPPI
Circuit Court, Eastern District
JACKSON, MISSISSIPPI

For the purposes of the resolution of the dispute,
lowest senior and in order to facilitate settlement of the
dispute, the parties have agreed to the following terms:
The parties agree by this stipulation that the case shall be
joint proposed supplemental decree submitted to the court.
There is the above captioned case, and the parties
date of the entry of that decree by the Court, and in that date
shall no longer be necessary.

/s/ Kenneth W. Starr
KENNETH W. STARR
Solicitor General
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/s/ Mike Moore
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